

U.S. DISTRICT COURT  
N.D. OF N.Y.  
FILED

AUG 11 2008

LAWRENCE K. BAERMAN, Clerk  
UTICA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

----- x  
SPERO HARITATOS

Plaintiff,

- against -

HASBRO, INC.,  
and TOYS "R" US-NY LLC,

Defendants.  
----- x

05 Civ. 930 (DNH/GJD)

STIPULATION AND  
ORDER


**IT IS HEREBY STIPULATED AND AGREED**, by and among the

undersigned counsel for the parties as follows:

1. Defendant Hasbro, Inc. hereby voluntarily dismisses with prejudice its  
First, Third, Fourth and Fifth Counterclaims, leaving for trial only its Second Counterclaim for  
Cancellation of Federal Trademark Registration.


2. The remaining claims of the Plaintiff, based upon the Memorandum-  
Decision and Order of the District Court dated and entered October 23, 2007, and the remaining  
Second Counterclaim of the Defendant, Hasbro, Inc., will be tried by the Court without a jury.

Dated: August 1, 2008

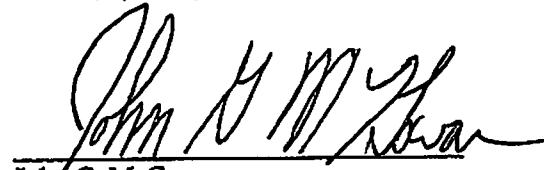
  
Richard Hughes  
Federal Bar Roll No. 103020  
Robert B. Purcell  
Federal Bar Roll No. 510595  
HISCOCK & BARCLAY, LLP  
One Park Place  
300 South State Street  
Syracuse, New York 13202  
Telephone: (315) 425-2802  
Fax: (315) 425-8594

*Attorneys for Plaintiff*

Respectfully submitted,

  
Kim J. Landsman  
Bar Roll No. 51,364  
PATTERSON BELKNAP WEBB  
& TYLER LLP  
1133 Avenue of the Americas  
New York, New York 10036-6710  
Telephone: (212) 336-2980  
Fax: (212) 336-2985

*Attorneys for Defendant Hasbro, Inc.*

  
John G. McGowan  
Federal Bar Roll No. 501388  
BOND, SCHOENECK & KING, PLLC  
One Lincoln Center  
Syracuse, New York 13202-1355  
Telephone: (315) 218-8121  
Fax: (315) 218-8100

*Attorneys for Defendant Toys "R" Us - NY LLC*

So Ordered:

Dated: August 8, 2008

  
Hon. David M. Hyrd  
United States District Judge

*Utica, N.Y.*